

AN ORDINANCE                      **9 6 7 7 2**

**AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT FOR SIXTY-FOUR MONTHS WITH MACK-CALI PROPERTY L.P. FOR USE BY THE OFFICE OF THE CITY AUDITOR OF 8,302 SQUARE FEET OF OFFICE SPACE LOCATED AT 111 SOLEDAD STREET AND TWO PARKING SPACES IN THE RAND GARAGE AT A MONTHLY RENT OF \$9,685.67 OR AN ANNUAL RENTAL RATE OF \$14.00 PER SQUARE FOOT FOR MONTHS 5 THROUGH 28, INCREASING PERIODICALLY TO MONTHLY RENT OF \$10,204.54 OR AN ANNUAL RENTAL RATE OF \$14.75 PER SQUARE FOOT FOR MONTHS 29 THROUGH 52, INCREASING TO A MONTHLY RENT OF \$10,723.42 OR AN ANNUAL RENTAL RATE OF \$15.50 PER SQUARE FOOT FOR MONTHS 53 THROUGH 64, INCLUDING ALL OPERATING EXPENSES SUBJECT TO ESCALATION AFTER THE BASE YEAR OF THE TERM, AND \$78.25 PER MONTH PER PARKING SPACE, FOR THE PERIOD OF JANUARY 1, 2003 TO APRIL 30, 2008 WITH RENT ABATED FOR THE FIRST FOUR MONTHS AND WITH A RIGHT TO RENEW THE TERM OF THE LEASE AGREEMENT FOR ONE (1) ADDITIONAL RENEWAL PERIOD OF THREE YEARS SUBJECT TO CITY COUNCIL APPROVAL; AND AUTHORIZING PAYMENT TO MACK-CALI PURSUANT TO THE LEASE AGREEMENT.**

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**WHEREAS**, the City wishes to enter into a Lease Agreement with Mack-Cali Texas Property L.P. ("Landlord") for use by the Office of the City Auditor of 8,302 square feet of space on the 6<sup>th</sup> floor of Riverview Towers at 111 Soledad and two parking spaces at Rand Garage, from January 1, 2003 to April 30, 2008, at a monthly rent of \$9,685.67 for months 5 through 28, increasing to a monthly rent of \$10,204.54 for months 29 through 52, and to a monthly rent of \$10,723.42 for months 53 through 64, including all operating expenses subject to escalation after the base year of the term and \$78.25 per month per parking space, for the period of January 1, 2003 to April 30, 2008 with rent abated for the first four months, with a right of renewal for one (1) additional period of three years, subject to City Council approval; and

**WHEREAS**, approval of this Ordinance is a continuation of City Council policy to support improvements, including leasing needed space, for the Office of the City Auditor; **NOW THEREFORE**;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager or her designee is hereby authorized to execute a Lease Agreement with Mack-Cali Texas Property L.P. for use by the Office of the City Auditor of 8,302 square feet of space on the 6<sup>th</sup> floor of Riverview Towers at 111 Soledad, and two parking spaces in the Rand Garage, for sixty-four months from January 1, 2003 to April 30, 2008, at a monthly rent of \$9,685.67 for months 5 through 28, increasing to a monthly rent of \$10,204.54

for months 29 through 52, and a monthly rent of \$10,723.42 for months 53 through 64, including all operating expenses subject to escalation after the base year of the term, and \$78.25 per month per parking space, with rent abated for the first four months and with a right of renewal for one (1) additional period of three years subject to City Council approval. A copy of such Lease, in substantially final form, is affixed hereto as Attachment I and incorporated herein verbatim for all purposes.

**SECTION 2.** The execution of a lease agreement for the use of 8,302 square feet of space and two parking spaces at a monthly rent of \$9,685.67 for the period of January 1, 2003 to September 30, 2003 and \$78.25 per month per parking space for the period January 1, 2003 to September 30, 2003 is hereby ratified.


**SECTION 3.** Funds in the amount of \$49,836.85 are authorized to be encumbered in Fund 29-031000 (Miscellaneous Special Revenue Fund-Enterprise Resource Management Project) in Index Code 381665 entitled Rental of Facilities are made payable to Mack-Cali Texas Property, L.P. for the lease period of January 1, 2003 through September 30, 2003. Funding for the remainder of the lease, October 1, 2003 through April 30, 2008, is contingent upon annual budget appropriations.


**SECTION 4.** The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This ordinance shall be effective on December 1<sup>st</sup>, 2002.

**PASSED AND APPROVED** this 21<sup>st</sup> day of November, 2002.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney